

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

DEWAYNE THOMPSON,

Plaintiff,

v.

LOPEZ, *et al.*,

Defendants.

Case No. 1:24-cv-00252-KES-EPG (PC)

ORDER DENYING PLAINTIFF'S EX PARTE
MOTION TO DISREGARD NON-PARTY
FILING AND ORDER TO SHOW CAUSE
WHY SANCTIONS SHOULD NOT BE
IMPOSED ON NON-PARTY FOR ABUSIVE
LITIGATION

(ECF No. 19)

Plaintiff DeWayne Thompson is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983.

Before the Court is Plaintiff's ex parte motion to disregard a non-party filing and order to show cause why sanctions should not be imposed on a non-party for abusive litigation. (ECF No. 19). Plaintiff's motion states as follows:

Plaintiff, in pro se, on December 4, 2024, received notice from this court of pleadings and correspondence to this court by Durrell Anthony Puckett (G05549) who is apparently by California Department and Corrections Rehabilitation (CDCR) identification number is an inmate within the CDCR system and of whom is impersonating Plaintiff by filing fraudulent amended pleadings and contract negotiations in above entitled case. For which, Plaintiff moves this Court to disregard any filings in this case by non parties unless authorized and stipulated to by Plaintiff in accordance to appropriate law. Furthermore, Plaintiff moves this Court to exercise its inherent powers to impose sanctions on Durrell Anthony Puckett, CDCR no. G05549, for abusive litigation (see Corder v. Howard Johnson & Co. 53 F.3d 225, 232 (9th Cir. 1994), In re Rainbow Magazine, Inc. 77 F.3d 278, 287 (9th Cir. 1996), Hummell V.E. RK Off & Co, 634 F.2d 446, 452-53 (9th

1 Cir. 1980).

2 (*Id.* at 1). On November 25, 2024, the Court received a filing by Durrell Anthony Puckett on
3 behalf of Plaintiff, which was rejected. Accordingly, the Court has already disregarded the filing
4 that was improperly submitted to the Court.

5 Plaintiff's motion will therefore be DENIED as moot.

6
7 IT IS SO ORDERED.

8 Dated: **December 13, 2024**

/s/ Eric P. Gray
9 UNITED STATES MAGISTRATE JUDGE